

# DECLARATION

— ORIGINAL  
— CONTINUATION-IN-PART  
X DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below at 1-2, of the invention entitled:

## EXTERNAL INFUSION DEVICE WITH A VENTED HOUSING

Which is described and claimed in:

X the attached specification or  
— the specification in application Serial No. \_\_\_\_\_ filed \_\_\_\_\_  
— as amended on \_\_\_\_\_

and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name.

I acknowledge my duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim priority benefits under Title 35, United States Code, §119 of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR  
APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
<b>US</b>	<b>60/106,237</b>	<b>October 29, 1998</b>	YES <u>X</u> NO <u>  </u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

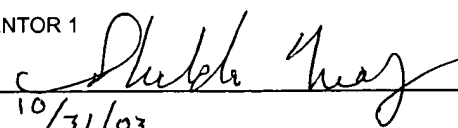
09/698,783	October 27, 2000	pending
09/429,352	October 28, 1999	pending
(Application Serial No.)	(Filing Date)	(Status)

**Send correspondence to:**  
**Customer Number 23608**  
**MEDTRONIC MINIMED, INC.**  
**18000 Devonshire Street**  
**Northridge, CA 91325-1219**

**DIRECT TELEPHONE CALLS TO:**  
**Customer Number 23608**  
**Paul H. Kovelman**  
**(818) 576-5313**

1	LAST NAME	FIRST NAME	MIDDLE NAME	Residence: CITY	STATE or COUNTRY
	<b>MOBERG</b>	<b>SHELDON</b>	<b>B.</b>	<b>THOUSAND OAKS</b>	<b>CALIFORNIA</b>
	Post Office Address <b>1030 CHALET, THOUSAND OAKS, CA 91362</b>				CITIZENSHIP <b>US</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1	
DATE	10/31/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:	)	
Sheldon B. Moberg	)	Group Art Unit: unknown
Serial No. unknown	)	
Filed: October 31, 2003	)	Examiner: unknown
For: EXTERNAL INFUSION DEVICE WITH	)	
<u>A VENTED HOUSING</u>	)	

POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR UNDER RULE 3.71

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned **Eric P. Geismar** is a representative authorized to sign on behalf of the assignee of the entire interest in the above-identified subject application, **MEDTRONIC MINIMED, INC.** and hereby appoints:

Paul H. Kovelman, Reg. No. 35,228;  
Richard K. Yoon, Reg. No. 42,247;  
Vivian S. Shin, Reg. No. 43,919;  
Cary D. Talbot, Reg. No. 47,123;  
Harold R. Patton, Reg. No. 22,157;  
Girma Wolde-Michael, Reg. No. 36,724;  
Thomas G. Berry, Reg. No. 31,736;  
Kenneth J. Collier, Reg. No. 34,982;  
Daniel W. Latham, Reg. No. 30,401;  
Curtis D. Kinghorn, Reg. No. 33,926;  
Thomas F. Woods, Reg. No. 36,726;  
Beth L. McMahon, Reg. No. 41,987;  
Eric R. Waldkoetter, Reg. No. 36,713;  
Stephen W. Bauer, Reg. No. 32,192;  
Michael Soldner, Reg. No. 41,455

and all of the firm of Foley & Lardner:

Ted R. Rittmaster, Reg. No. 32,933;  
Irvin C. Harrington, III, Reg. No. 44,740;  
Ronald Coslick, Reg. No. 36,489;  
David A. Blumenthal, Reg. No. 26,257;  
Richard D. Malone, Reg. No. 51,991;

William J. Robinson, Reg. No. 29,430;  
Victor deGyarfas, Reg. No. 40,583

to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventor and his attorney in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

**MEDTRONIC MINIMED, INC.**, per 37 C.F.R. §3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersign's knowledge and belief, title is in the assignee seeking this action.

**MEDTRONIC MINIMED, INC.**, declares that 100% ownership is established by an assignment to be in the Regular Utility Patent Application, and that the Inventors are under an obligation to assign the application to **MEDTRONIC MINIMED, INC.**

Please direct all telephone calls to Paul H. Kovelman at (818) 576-5313 and all correspondence relative to said application to the following address:

Paul H. Kovelman  
Medtronic MiniMed, Inc.  
18000 Devonshire Street  
Northridge, CA 91325-1219

ASSIGNEE: **MEDTRONIC MINIMED, INC.**

Date: 10/31/03

Signature: \_\_\_\_\_



Eric P. Geismar

Title:

Vice President and Senior Counsel

Address:

18000 Devonshire Street

Northridge, CA 91325-1219